

# **Exhibit K**

1                   \*\*\*\* ROUGH DRAFT \*\*\*\*

2                   Wednesday, September 25, 2024.

3                   THE VIDEOGRAPHER: ^ We

4                   are ^ Wear now on the record. The time is  
5                   905 mountain time on September 25, 2024.

6                   This begins the videoconference deposition of  
7                   Floyd's of Leadville, Inc. Now known as  
8                   Valued, Inc., corporate representative Robert  
9                   Bell taken in the matter of Floyd's of  
10                  Leadville, Inc. Now known as Valued, Inc.  
11                  Versus Alexander Capital, L.P., et al. Case  
12                  No. Is 1:22-cv-03318-DEH and it's filed in  
13                  the United States District Court for the  
14                  Southern District of New York. My name is  
15                  George Ellis. I am the remote videographer.  
16                  Our court reporter today is Deborah Moschitto  
17                  and ^ we are ^ wear representing Esquire  
18                  Deposition Solutions. Counsel, if you would,  
19                  please state your name and who you represent,  
20                  after which the court reporter will swear in  
21                  the witness.

22                  MR. WARD: My name is Bryan Ward.

2 that there would be somebody else.

3 Q. He started in 2017?

4 MR. VEDRA: Objection. Asked and  
5 answered.

6 A. You'd have to ask Floyd Landis  
7 his exact start date. I mean to ask every  
8 employee's start date, I mean I have a fairly  
9 good memory. That's tough. That's a tough  
10 one. Like do you know when Holly started, an  
11 exact date.

12 Q. Mr. Ryan was the chief financial  
13 officer during the time that Alexander  
14 Capital was raising funds for Floyd's; is  
15 that right?

16 MR. VEDRA: Objection, form,  
17 outside of the scope of this -- of the  
18 topics.

19 Q. You can answer.

20 A. I just answered. I don't know  
21 every employee's start date. Like that would  
22 be like me asking you do you remember the  
23 start date -- you own the law firm, give me  
24 the start date of Holly Cole. You wouldn't  
25 know that. You wouldn't know that.

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2 Q. Mr. Bell, Mr. Bell, please. The  
3 question was was Mr. Ryan the CFO of Floyd's  
4 during the time that Alexander Capital was  
5 raising funds for Floyd's?

6 MR. VEDRA: Objection, form,  
7 outside of the scope. He's given you the  
8 best answer he said he's prepared to give  
9 based on his deposition topics.

10 Q. Please answer.

11 A. I already answered.

12 Q. I'm asking --

13 A. You want me to answer again, I'll  
14 answer for a third time. Is that what you  
15 would like?

16 Q. I want you to answer that  
17 question, please.

18 A. So you would like me to answer it  
19 a third time?

20 Q. Yes, please.

21 A. I don't know everybody -- I don't  
22 know Chris Ryan's start date, just like I'm  
23 sure you don't know Holly Cole's and Aaron

24 Wright's start date.

25 Q. Mr. Bell, listen to my question.

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2 I'm not asking for a start date?

3 A. I'm a ^ grate ^ great listener,  
4 nobody listens better than me.

5 Q. Okay. And please stop  
6 interrupting. I'm asking you whether or not  
7 Chris Ryan was the CFO of Floyd's during the  
8 time that Alexander Capital was raising funds  
9 for Floyd's?

10 A. I already answered.

11 MR. VEDRA: Same objection, same  
12 objection. This is outside the scope. This  
13 isn't tied to any topics that he's been  
14 noticed for or prepared for. If you can  
15 point us to a topic, then we can discuss  
16 that, but this is not inside the scope of  
17 your deposition.

18 MR. WARD: Are you instructing  
19 him not to answer?

20 MR. VEDRA: I'm telling you he

21 can answer. He's given you the answer at  
22 least three times now and you keep asking him  
23 the same question.

24 MR. WARD: I got it. I'm going  
25 to ask him to answer the question, please.

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2 A. I don't know Chris Ryan's start  
3 date, just like you wouldn't know Holly  
4 Cole's or Aaron Wright's as the owner --as  
5 the owner of Holcolm + Ward. Define  
6 institution of Holcolm + Ward.

7 Q. Was Mr. Ryan CFO of Floyd's for  
8 more than a year?

9 MR. VEDRA: Objection. Same  
10 objection. Again, if you can point us to a  
11 topic in the 30(b)(6) notice that this  
12 relates to, we can discuss that, but it's  
13 outside the scope.

14 Q. Okay. Please answer.

15 A. My answer's no different. I  
16 don't know his start date. I don't know.  
17 Just like Mr. Vedra said, I don't believe I

21           A.       Yeah. It's the one with the  
22       forged signature of Floyd Landis on it it.  
23       Frank DiMartini admits it in his conversation  
24       with Alex Merle-Huet at a dinner, brunch or  
25       something in New York. Actually, if you just

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2       go over it and get copied, it will just copy  
3       it. It's the same exact signature that Bari  
4       Latterman sent to Pete DiChiara with Floyd's  
5       signature on it and Floyd wasn't on it.  
6       Holly Cole at one of her depositions --

7           Q.       Mr. Bell, let me ask the  
8       questions, please, if you would please limit  
9       your responses to my questions. Is it your  
10      testimony that this is not Mr. Landis'  
11      signature?

12          A.       Forged signature, 100 percent.

13          Q.       Please let me finish the  
14      question -- on page 264 2?

15          A.       Uh-hum.

16          Q.       It is your testimony that that is  
17      not Mr. Landis' signature on page 264 2?

18 e-mail is being sent to Barrie Clapham and it  
19 has an L and S in there. Do you see that?

20 A. Chris sent this original e-mail  
21 to Barrie.

22 Q. Correct, and there is an L and S  
23 after Barrie's name on there. Do you see  
24 that?

25 A. Yeah.

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2 Q. Is that London and Scottish  
3 Investments?

4 A. I'm not Barrie Clapham.

5 Q. Do you know what London and  
6 Scottish Investments is?

7 A. If it has anything to do with  
8 Barrie Clapham, it's probably just another  
9 fraud scheme to rip people off.

10 Q. Do you know whether Barrie  
11 Clapham is the chairman and lead investor for  
12 London and Scottish Investments?

13 A. I mean -- I mean I don't know.  
14 Maybe Holly could pull up his LinkedIn page.



15 I mean I could look it up. He told us once  
16 he was like the greatest potato grower in the  
17 last thousand years or some shit, but I don't  
18 really know.

19 Q. I'm now showing you what I have  
20 marked as defendants' Exhibit 11 2.

21 A. He also told us he has a glass  
22 eye. He lost it from a tee, golfing tee. It  
23 hit him in the eye and he lost it. Frank  
24 used to tell us he would tell call him when  
25 he was drunk in the bathtub with prostitutes

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2 in Spain, I knew that, but I don't want to  
3 tell that sad story.

4 Q. There is no question pending.

5 MR. WARD: Mr. Vedra, would you  
6 instruct your client to simply respond to the  
7 questions and not give extra commentaries,  
8 please. Do I take that as a no?

9 MR. VEDRA: I'm sorry, are you  
10 telling me to tell the client how to answer  
11 the question?

17 fraud was unwinding.

18 Q. I'm sorry?

19 A. Context matters. The extent of  
20 the fraud that Alexander Capital and their  
21 business associates, Barrie Clapham, Mark  
22 Leonard, Frank DiMartini, Tim Kelly, were  
23 doing and based on -- you know, you, even in  
24 this deposition, you were asking if he was  
25 the winner and brought up his doping. It's

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2 very similar how Holly brought up who's the  
3 child -- you know, who's the father of Alex's  
4 child. She brought that up 4 times which  
5 couldn't be more nastier. So he tried to  
6 remove himself from that fraud because of  
7 what people like you do about his cycling  
8 career, which he's apologized for, came clean  
9 on, made amends, donated money back, the  
10 money he received, back to the cycling  
11 community and he didn't want to be a part of  
12 the bad actors that are Joe Amato and Rocco  
13 and those things. So, yes, at the time and

14 place where this is heading, that's why that  
15 e-mail was sent.

16 Q. Mr. Bell, I just want to remind  
17 you again, you said yeah. That meant yes;  
18 correct, at the beginning of that?

19 A. How would you define it. I mean  
20 I guess we need to -- how do you define  
21 "yeah"? I mean let's look it up. I'm not an  
22 Ivy league grad like him. He couldn't define  
23 "can." I define "yeah" as an affirmative  
24 statement. How would you define it?

25 Q. At the beginning of this

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2 deposition, I asked you whether you would be  
3 willing to say yes or no to give clear  
4 responses.

5 A. Sorry, sorry, I did not listen to  
6 your instructions. Ask the question again  
7 and I'll give you a yes and an explanation of  
8 why that a yes is.

9 Q. I'm not asking for an  
10 explanation.